

Remarks

Reconsideration of this Application is respectfully requested.

Claims 1-8, 10-16, and 18-26 are pending, with claims 1, 20, 23, and 24 being the independent claims. Claims 1, 3, and 20-23 are sought to be amended. Claim 9 is sought to be cancelled without prejudice to or disclaimer of the subject matter therein. Claim 17 was previously cancelled without prejudice to or disclaimer of the subject matter therein. New claims 24-26 are sought to be added. Applicants reserve the right to prosecute similar or broader claims, with respect to the cancelled and amended claims, in the future. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendments and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Statement of Substance of Examiner Interview

Applicants respectfully thank the Examiner for extending the courtesy of a telephone interview on May 12, 2009. In the interview, the Examiner and Applicants discussed the Examiner's rejections and proposed claim amendments and new claims to further distinguish the claims from the applied references. No agreement was reached.

Rejection under 35 U.S.C. § 101

At page 12 of the Office Action, the Examiner rejected claims 20-23 under 35 U.S.C. § 101 as being allegedly directed to non-statutory subject matter. Applicants respectfully traverse this rejection.

Without acquiescing to the propriety of the rejection, Applicants have amended claims 20 and 23 to expedite prosecution. Claims 20 and 23 now recite, *inter alia*, "using a processing device."

Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw the 35 U.S.C. § 101 rejection of claims 20 and 23 and to pass these claims to allowance. Additionally, at least based on their respective dependencies to claim 20, claims 21 and 22 should be found allowable.

Rejections under 35 U.S.C. § 112

35 U.S.C. § 112, First Paragraph

At page 13 of the Office Action the Examiner rejected claims 1-23 under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. Applicants respectfully traverse this rejection.

Alleged Missing Steps

At page 13 of the Office Action the Examiner states, which Applicants do not acquiesce to, that "[c]laim 1 is rejected for not following the program algorithm (steps) taught in the instant application." Applicants respectfully disagree. At page 16 the Examiner states, which Applicants do not acquiesce to, that:

The above steps teach a program that has:

1. Presenting a customer with a long form and a link to a short form;
2. Selecting the link by a customer to the short form;
3. Presenting the short form to the customer;
4. Completing the short form fields by the customer;
5. Validating the information.

As discussed in the interview, claim 1 is supported by the Specification. For example, claim 1 recites, *inter alia*, (emphasis added): "instructions to *receive a submitted first account application* of a customer, including a plurality of fields associated with personal identification and financial information." Support for claim 1 can be found, for example, in paragraph [0007] of the Specification, which recites:

[0007] Upon receiving a selection of the indicator from the customer, the financial institution may transmit a second new account application to the customer in place of the initial account application. The second new account application has a fewer number of fields for entering the personal identification and financial information than the first new account application, and in various embodiments, may require only the entry the customer's name, a portion of a government identification number (such as a social security number) of the customer, an account number of an existing account of the customer, and a confirmation number associated with the existing account. In various embodiments, the customer does not need to provide a login/user name identifier or a password to receive the shorter new account application.

Thus, for at least this reason, claim 1 should be found to meet the written description requirement.

"Detecting"

At page 16 of the Office Action the Examiner states, which Applicants do not acquiesce to, that "[t]here is no teaching or support for detecting based on a plurality of submitted fields that a customer is an existing account holder. There is support for

automatically determining that a customer is an existing customer based on a customer entering an identification of an existing account."

Without acquiescing to the propriety of the rejection, Applicants have amended claims 1, 20, and 23 for other reasons and to expedite prosecution. Claim 1 recites, *inter alia*, "instructions to automatically determine, based on an identification of an existing account of the customer in the fields of the first account application, that the customer is an existing account holder." Claim 20 recites, *inter alia*, "automatically determining, using the processing device, that there is an indication that the customer is an existing account holder based on a selection of the selectable indicator associated with the first account application." Claim 23 recites, *inter alia*, "automatically determining, using the processing device, that there is an indication that the customer is an existing account holder based on a selection of the selectable indicator associated with the first account application." Claim 3 recites, *inter alia*, "The computer program product of claim 2, wherein instructions to automatically determine." Thus, for at least this reason, claims 1, 3, 20, and 23 should be found to meet the written description requirement.

"Based on Successful Detection"

At page 16 of the Office Action the Examiner states, which Applicants do not acquiesce to, that "[t]here is no teaching of 'based on successful detection...' above in the instant application."

Without acquiescing to the propriety of the rejection, Applicants have amended claims 1, 20, and 23 for other reasons and to expedite prosecution. Claim 1 recites, *inter alia*, "instructions to transmit a second account application to the customer, based on determining that the customer is an existing account holder." Claim 20 recites, *inter alia*,

"transmitting, using the processing device, a second account application to the customer, based on determining that there is an indication that the customer is an existing account holder." Claim 23 recites, *inter alia*, "transmitting, using the processing device, a second account application to the customer, based on determining that there is an indication that the customer is an existing account holder."

Thus, for at least this reason, claims 1, 20, and 23 should be found to meet the written description requirement.

Claims 3, 9, 10, and 11-13

At page 17 of the Office Action the Examiner states, which Applicants do not acquiesce to that "[t]he following dependent claims [3, 9, 10, and 11-13] are not supported by Fig. 1." Applicants respectfully disagree. As discussed in the interview, claims 3, 9, 10, and 11-13 are supported by the Specification.

Claim 3 recites, *inter alia*, "receiving information for an existing account in the field for entering financial account information in the first account application; validating the information for the existing account; and transmitting the second account application after said validating." For example, with respect to claim 3, the Specification recites at paragraph [0023] (emphasis added):

Alternatively, when the customer has entered an identification of an existing account with the financial institution in the standard new account application, *such information may be used to automatically determine that the customer is an existing customer*. In such case, the existing customer may *then* be presented with the shorter new application form without the customer having to select the indicator 202.

Claim 9 recites, *inter alia*, "instructions to transfer the information from the first account application to the second account application for the at least one of the plurality

of fields that are the same for the first account application and the second account application." For example, with respect to claim 9, the Specification recites at paragraph [0009] (emphasis added):

In further embodiments, a customer may partially or completely fill in the information requested in the initial new account application before selecting the indicator designated for existing customers. Upon later selection of the indicator, the financial institution may *transfer any entered information from the initial new account application to the second, shorter new account application where the initial and second new account applications have at least some similar fields.*

Claim 10 recites, *inter alia*, "instructions to retrieve information required for the first account application from data stored for the existing account; and instructions to process the second account application based on the retrieved information." For example, with respect to claim 10, the Specification recites at paragraph [0018] (emphasis added):

The financial institution's computers are operative to *store and retrieve* personal information and other financial *information about customers* in one or more enterprise *databases*. The financial institution computers are further operative to transmit and receive the information described herein with a customer operating a personal computer, or other device having suitable functionality, over a network.

Claims 11-13 depend from claim 10 and include all features therein. Thus, for at least this reason, claims 3, 9, 10, and 11-13 should be found to meet the written description requirement.

Accordingly, Applicant respectfully requests the Examiner to reconsider and withdraw the 35 U.S.C. § 112, first paragraph, rejection of claims 1, 20, and 23 and to pass these claims to allowance. Additionally, at least based on their respective

dependencies to claims 1 and 20, claims 2-8, 10-19, 21, and 22 should be found allowable.

35 U.S.C. §112, second paragraph

At page 17 of the Office Action the Examiner rejected claims 20-23 under 35 U.S.C. § 112, second paragraph, as allegedly failing to particularly point out and distinctly claim the subject matter and because claims 20 and 23 allegedly "have electronically transmitting where there is no apparatus provided to support how electronically is performed." (Office Action page 17.) Applicants respectfully traverse this rejection.

Without acquiescing to the propriety of the rejection, Applicants have amended claims 20 and 23 to expedite prosecution. Claims 20 and 23 recite, *inter alia*, "automatically determining, using the processing device."

Accordingly, Applicant respectfully requests the Examiner to reconsider and withdraw the 35 U.S.C. § 112, second paragraph, rejection of claim 20 and 23 and to pass these claims to allowance. Additionally, at least based on their respective dependencies to claim 20, claims 21 and 22 should be found allowable.

Rejections under 35 U.S.C. § 103

Claims 1-15 and 18-23

At page 18 of the Office Action the Examiner rejected claims 1-15 and 18-23 under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent Number 5,790,785 to Klug *et al.* ("Klug") in view of U.S. Patent Number 7,155,739 to Bari *et al.*

("Bari"). Applicants respectfully traverse this rejection and the "Response to Arguments" beginning at page 2 of the Office Action.

1. The Applied References Lack "Account Application"

Claims 1, 20, and 23 recite features that distinguish over the applied references.

For example, claims 1, 20, and 23 recite, *inter alia*, "account application."

At page 19 of the Office Action the Examiner states, which Applicants do not acquiesce to, that Klug teaches "instructions to detect, based on the plurality of submitted fields of the first account application, that there is an indication that the customer is an existing account holder." Applicants respectfully disagree.

The Examiner alleges that the "registration fill-out form" in Klug is "account application," as recited in claims 1, 20, and 23. (Office Action, page 19.) The Examiner further states that "[t]he submitted registration indicates an existing account holder." (Office Action, page 20.) However, the "registration fill-out form" in Klug is not an "**account application**," as recited by claims 1, 20, and 23 (emphasis added). In contrast, Klug teaches that "the home page or registration page for the third party web site includes *input fields* allowing the user to *request that the registrar website be automatically accessed* so that the user can enter web site registration information at the registrar web site... ." (Klug, col. 5, lines 29-37, emphasis added.) Klug teaches that the "input fields" in Klug merely allow "the third party website" to "invok[e] the program ... to obtain the user's registration data" and to "grant[*it*] access to the desired third party web site and/or *application*." (Klug, col. 9, lines 22-28, emphasis added.)

At page 22 of the Office Action the Examiner states that Bari teaches "detecting." However, the Examiner does not use Bari to teach, nor does Bari teach, at least the

above-noted distinguishing features of claims 1, 20, and 23. Therefore, Bari cannot be used to cure the deficiencies of Klug. Thus, the applied references cannot be used to establish a *prima facie* case of obviousness for claims 1, 20, and 23.

Thus, for at least this reason, claims 1, 20, and 23 should be found allowable over the applied references.

2. The Applied References Lack "Prior to the Automatically Determining"

Claims 1, 20, and 23 recite features that distinguish over the applied references. For example, claims 1, 20, and 23 recite, *inter alia*, "wherein information entered by the customer in the fields of the first account application prior to the automatically determining is *automatically transferred* to corresponding fields in the second account application prior to the transmitting" (emphasis added).

At page 24 of the Office Action the Examiner states, which Applicants do not acquiesce to, that Klug teaches "instructions to receive information from the customer in the first account application; and instructions to transfer transferring the information from the first account application to the second account application for the at least one of the plurality of fields that are the same for the first account application and the second account application." Applicants respectfully disagree.

The Examiner cites col. 8, lines 3-10 of Klug, which recite:

Note that at least in one embodiment, the basic information supplied in step 308 (i.e., the user's name, e-mail address, gender and date of birth) is also requested in the forms for expanded information in step 312. Thus, upon filling in at least one field from the fill-out forms (step 316) presented in either step 308 or 312 the present invention field checks the user's [i]nput for syntactically appropriate responses.

In contrast to the above-mentioned elements of claims 1, 20, and 23, the above-mentioned portions of Klug merely refer to "check[ing] the user's input for syntactically appropriate responses" regardless of whether the user "determines ... to supply basic information ... or to supply expanded information." (Klug, col. 7, line 64 - col. 8, line 3.)

Further, the "registration information" in Klug is not "automatically transferred," as recited in claim 1, 20, and 23. Rather, Klug states that transferring "registration information" to "the third party website" requires a user to "ente[r] into a registrar specific portion of the registration form for the third party web site a registrar user identification and optionally a password for requesting that the third party web site access the registrar web site to obtain the user's registration information."

Therefore, Klug does not teach "wherein information entered by the customer in the fields of the first account application prior to the automatically determining is automatically transferred to corresponding fields in the second account application prior to the transmitting," as recited by claims 1, 20, and 23.

At page 22 of the Office Action the Examiner states that Bari teaches "detecting." However, the Examiner does not use Bari to teach, nor does Bari teach, at least the above-noted distinguishing features of claims 1, 20, and 23. Therefore, Bari cannot be used to cure the deficiencies of Klug. Thus, the applied references cannot be used to establish a *prima facie* case of obviousness for claims 1, 20, and 23.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the 35 U.S.C. § 103(a) rejection of claims 1, 20, and 23 and pass these claims to allowance. Additionally, at least based on their respective dependencies to claims 1

and 20, claims 2-15, 18, 19, 21, and 22 should be found allowable over the applied references, as well as for their additional distinguishing features.

Claim 16

At page 35 of the Office Action the Examiner rejected claim 16 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Klug in view of Bari, and further in view of "Official Notice." Applicants respectfully traverse this rejection.

At page 35-36 of the Office Action the Examiner states, which Applicants do not acquiesce to, that "the Examiner takes Official Notice that use of a hyperlink, for example, as a selectable indication is old and well known." Pursuant to M.P.E.P Section 2144.03(A), this is an improper use of Official Notice. Regardless, the Examiner does not use "Official Notice" to teach at least the above-noted distinguishing features of claim 1. Therefore, even assuming the Examiner has properly taken "Official Notice," the Office Notice feature cannot be used to cure the deficiencies of Klug and Bari. Thus, the applied references cannot be used to establish a *prima facie* case of obviousness for claim 1.

Accordingly, at least based on its dependency to claim 1, claim 16 should be found allowable over the applied references.

New Claims

Claims 25 and 26 depend from claim 20 and include all features therein. Thus, for at least this reason, claims 25 and 26 should be found allowable over the applied references.

Further, as noted above with respect to claims 1, 20, and 23, the applied references do not teach "wherin information entered by the customer in the fields of the first account application prior to the automatically determining is automatically transferred to corresponding fields in the second account application prior to the transmitting," as recited in new claim 24. Thus, the applied references do not teach at least this feature of claim 24.

Accordingly, for at least this reason, claim 24 should be found allowable.

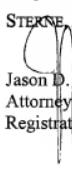
Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully
requested.

Respectfully submitted,

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